

REMARKS

Claims 10 and 12-30 are pending in the application after this amendment. The amendment, cancellation, and/or addition of claims is not to be considered in any way an indication of applicants' position on the merits of the amended, cancelled, and/or added claims. In the following sections of the Amendment the objections and rejections set forth by the Examiner in the November 12, 2004, Office action are addressed.

These rejections are respectfully traversed, and detailed arguments are set forth below.

First, applicants would like to express appreciation for the Examiner's time he spent discussing this application and the cited references. During the interview the Examiner suggested that adding claim terms such as "in tandem horizontally" and "C-shaped channel members" might provide allowable subject matter.

Incorporated herein (without repetition) are the specific recitation of the facts and the specific arguments found in previous papers. For the purpose of furthering prosecution, applicants have amended some of the claims, but reserve the right to present additional arguments distinguishing the known references and to file continuation applications presenting the subject matter of the original claims.

Regarding the Examiner's rejections under 35 USC §112, applicants' amendments to claims 13, 18, 19, and 22 should overcome the Examiner's rejections under 35 USC §112.

U.S. Patent No. 3,859,000 to Webster (the "Webster reference") was cited as anticipating claims 10, 11, 13-16, 18-21, 23-27, and 29. The Webster reference was also cited as the primary reference for the anticipation rejection of claims 17 and 28. The Webster reference discloses a plurality identical invertible polygonal panels. Each of the panels have a roughly L-shaped projection extending along each of its edges. The Examiner appears to be using the Webster legs 18 as a male coupling member and the Webster concave portion (between the leg 18 and the outside edge of the bight) as the female coupling member. Using this characterization (without conceding its accuracy), the Webster reference has a female coupling member positioned between

the mat body and the male coupling member. This is clearly distinguishable from applicants' claim limitations of the male coupling member being positioned substantially between the mat body and the female coupling member. The Examiner also cites the Webster reference as teaching that the male coupling members and the female coupling members provide for dynamic rotation of the coupling ends in the vertical plane to allow for inconsistencies in the terrain without loss of coupling capability or strength. The Webster reference does not teach or suggest dynamic rotation in any way. Structurally, there does not appear to be any movement possible when the Webster panels are interlocked. Further, the Webster reference seems to be teaching that the panels are "held firmly together even under severe operating conditions" (column 2, lines 54-55) and that horizontal movements are prevented (column 3, lines 4-5 and line 42). Modifying the Webster reference so that it had dynamic rotation would impermissibly render the prior art unsatisfactory for its intended purpose (MPEP 2143.01) and/or cannot change the principle of operation of a reference (MPEP 2143.01).

U.S. Reissue Patent No. 18,188 to Benedict et al. (the "Benedict reference") was cited as anticipating claims 25-29. On page 6 of the Office action, the Examiner states that the Benedict reference teaches that the male and female members "provide for dynamic rotation of the coupling ends in the vertical plane to allow for inconsistencies in the terrain without loss of coupling capability or strength." In the response to applicants' arguments, however, the Examiner points out that the Benedict reference explicitly recites, "the corrugations . . . act to form an interlock which will effectively prevent any relative vertical movement of the paving bodies adjacent to the joint." (Column 2, lines 78-82.) This teaches away from the limitations of some of the pending claims (e.g. claims 22 and 29).

Independent claim 10 includes the previously presented claim term "said male coupling member positioned substantially between said mat body and said female coupling member" for both the first and second locking mechanisms was not shown in any of the known references. Further, this claim has been amended to specify that the

mat body, the male coupling member, and the female coupling member are horizontally in tandem at both the first coupling end and the second coupling end. As none of the known references teach or suggest these claim limitations, this claim, and the claims dependent thereon, are allowable.

Independent claim 14 includes the previously presented claim term "said male coupling member positioned substantially between said mat body and said female coupling member" for both the first and second locking mechanisms was not shown in any of the known references. As none of the known references teach or suggest these claim limitations, this claim, and the claims dependent thereon, are allowable.

Independent claim 25 has been amended to specify that the mat body, the male coupling member, and the female coupling member are horizontally in tandem at both the first coupling end and the second coupling end. As none of the known references teach or suggest these claim limitations, this claim, and the claims dependent thereon, are allowable.

New claim 30 specifically states that the male coupling members and the female couplings member are C-shaped channel members. As none of the known references teach or suggest this claim limitation, this claim is allowable.

In view of the above, it is submitted that the currently pending claims are patentable. Accordingly, the Examiner is requested to reexamine the application, to allow the claims, and to pass the application on promptly to issue.

A Petition for Extension of Time for one month is enclosed herewith.

Please charge Deposit Account No. 50-2115 for any additional fees that may be required.

Respectfully submitted,



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